

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

KERRY L. WILLIAMS,)	
)	
Plaintiff,)	
v.)	Case No. 2:13-cv-204-JMS-WGH
)	
INDIANA DEPT. CORRECTIONS, et al.,)	
)	
Defendants.)	

Entry Rejecting Complaint and Directing Further Proceedings

The plaintiff's complaint alleges violations of his First Amendment free exercise of religion rights, overcrowding violations of the Eighth Amendment, and violations of the Fourteenth Amendment. The complaint references delayed medical care, discrimination on the basis of race and religion, and denial of meaningful access to the law library. The complaint violates the joinder of claims limitation of the *Federal Rules of Civil Procedure*. In *George v. Smith*, 507 F.3d 605 (7th Cir. 2007), the Court of Appeals explained that such a nonconforming complaint must be "rejected." "Unrelated claims against different defendants belong in different suits." *Id.* at 607. Instead, Rule 18 allows joinder of multiple parties only when the allegations against them involve the same conduct or transaction and common questions of fact and law as to all defendants.

The violation here consists of the diversity of claims against a multitude of defendants. Accordingly, the complaint is "rejected." The plaintiff shall have **through September 27, 2013**, in which to file an amended complaint which does not violate Rule 18. In filing an amended complaint, the plaintiff shall conform to the following guidelines: (a) the amended complaint shall comply with the requirement of Rule 8(a)(2) of the *Federal Rules of Civil Procedure* that pleadings contain "a short and plain statement of the claim showing that the pleader is entitled to

relief. . . .," (b) the amended complaint shall comply with the requirement of Rule 10 that the allegations in a complaint be made in numbered paragraphs, each of which should recite, as far as practicable, only a single set of circumstances, (c) the amended complaint must identify what legal injury he claims to have suffered and what persons are responsible for each such legal injury, and (d) the amended complaint shall contain a clear statement of the relief that is sought.

The plaintiff will need to file more than one complaint if he wishes to pursue all of the claims he references in his original complaint.

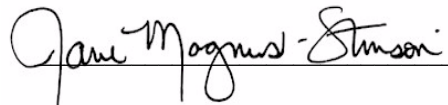
In addition, the plaintiff should note that claims against unknown John Doe defendants will be dismissed because it is pointless to include [an] anonymous defendant[] in federal court; this type of placeholder does not open the door to relation back under *Fed.R.Civ.P.* 15, nor can it otherwise help the plaintiff. @ *Wudtke v. Davel*, 128 F.3d 1057, 1060 (7th Cir. 1997) (internal citations omitted).

The plaintiff shall **place the cause number for this case, 2:13-cv-204-JMS-WGH**, on his "amended complaint." If he files claims in addition to whatever claim he decides to include in his amended complaint, he will need to submit a new complaint form with an additional motion to proceed *in forma pauperis* for each additional unrelated claim.

IT IS SO ORDERED.

Date: 09/05/2013

Distribution:


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Kerry L. Williams, DOC #953168, Wabash Valley Correctional Facility, Electronic Service Participant – Court Only